

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Hollis J. Larson,

Case No. 19-cv-2811 (WMW/DTS)

Plaintiff,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

v.

Minnesota Department of Human Services  
et al.,

Defendants.

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This matter is before the Court on the September 9, 2020 Report and Recommendation (R&R) of United States Magistrate Judge David T. Schultz. (Dkt. 82.) The R&R recommends that this Court (1) grant Defendants' motions to dismiss, (2) decline to exercise supplemental jurisdiction over Plaintiff's state-law claims, and (3) deny Plaintiff's motion for injunctive relief.

Larson filed timely objections to the R&R. Although Larson makes specific reference to parts of the R&R, he simply restates general arguments that he previously made before the magistrate judge. Because Larson's objections are general in nature and merely repeat arguments that were considered by the magistrate judge, the Court reviews this R&R for clear error. *See Montgomery v. Compass Airlines, LLC*, 98 F. Supp. 3d 1012, 1017 (D. Minn. 2015) (observing that objections to an R&R that "are not specific but merely repeat arguments presented to and considered by a magistrate judge are not entitled to *de novo* review, but rather are reviewed for clear error"). A finding is "clearly erroneous"

when the reviewing court “is left with the definite and firm conviction that a mistake has been committed.” *Edeh v. Midland Credit Mgmt., Inc.*, 748 F. Supp. 2d 1030, 1043 (D. Minn. 2010) (internal quotation marks omitted), *aff’d*, 413 F. App’x 925 (8th Cir. 2011). The Court has reviewed the objections filed by Larson. Because the objections lack either sufficient specificity or legal merit, the Court overrules the objections. Having carefully reviewed the R&R, the Court identifies no clear error in the magistrate judge’s reasoning or recommended resolution of Larson’s claims. The Court, therefore, adopts the R&R in its entirety.

Based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. Plaintiff Hollis J. Larson’s objections to the September 9, 2020 R&R, (Dkt. 83), are **OVERRULED**.
2. The September 9, 2020 R&R, (Dkt. 82), is **ADOPTED**.
3. The State Defendants’ Motion to Dismiss, (Dkt. 36), is **GRANTED**; Plaintiff’s official-capacity claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction; Plaintiff’s remaining federal claims are **DISMISSED WITH PREJUDICE**; and Plaintiff’s state-law claims are **DISMISSED WITHOUT PREJUDICE**.
4. The Moose Lake Defendants’ Motion to Dismiss, (Dkt. 44), is **GRANTED**; Plaintiff’s federal claims are **DISMISSED WITH PREJUDICE**; and Plaintiff’s state-law claims are **DISMISSED WITHOUT PREJUDICE**.

5. The Carlton County Defendants' Motion to Dismiss, (Dkt. 50), is **GRANTED**; Plaintiff's federal claims are **DISMISSED WITH PREJUDICE**; and Plaintiff's state-law claims are **DISMISSED WITHOUT PREJUDICE**.

6. Plaintiff Hollis J. Larson's Motion for Temporary Restraining Orders and Permanent Injunctions, (Dkt. 63), is **DENIED**.

7. Plaintiff Hollis J. Larson is enjoined from filing any other actions in the District of Minnesota based on the same or similar allegations as those in this lawsuit relating to the 2017 incident, arrest, and prosecution, unless he has first obtained written permission from a judicial officer in this District.

LET JUDGEMENT BE ENTERED ACCORDINGLY.

Dated: December 15, 2020

s/Wilhelmina M. Wright  
Wilhelmina M. Wright  
United States District Judge